

Electronically Recorded

Tarrant County Texas

Official Public Records

4/5/2010 2:22 PM

D210076695

*Degan Hanlon*

PGS 3 \$24.00

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**AMENDMENT TO OIL AND GAS LEASE**

**State:** Texas  
**County:** Tarrant  
**Lessor:** Elysium Enterprises, L.P., and TAK Enterprises, Inc., 7625  
 Bellaire Drive S., Fort Worth, Texas 76132  
**Lessee:** XTO Energy, Inc., 810 Houston Street, Fort Worth, Texas  
 76102  
**Effective Date:** May 11, 2007

Lessee, named above, is the present owner of the No Surface Use Oil and Gas Lease (the "Lease"), dated , executed by Lessor, named above, in favor of Vargas Energy, Ltd., Lessee, and being assigned to XTO Energy Inc. by Partial Assignment of Oil and Gas Leases dated February 13, 2008, and filed of record February 29, 2008 as Instrument No. D208072412, Official Public Records, Tarrant County, Texas, estimated to contain **0.5742** acres of land (the "Lands"), whether actually, more or less, in the county and state named above. The Lease is recorded in Document No. **D207250203** of the Official Public Records, Tarrant County, Texas. Reference is made to the Lease and its recording for a complete description of the Lands it covers and for all other purposes.

Now, therefore, for adequate consideration, Lessor does hereby adopt, ratify, and confirm the Lease and all of its terms and provisions, and hereby leases, demises and lets to the Lessee, and Lessee's successors and assigns, all of their interest in the Lands as fully and completely as if they had both originally been named as Lessor in the Lease and had executed, acknowledged and delivered the Lease to the Lessee. The undersigned agree and declare that the Lease is binding, valid and covers all of the undersigned's interest in the Lands.

Lessor agrees that the Lease is amended so that the primary term of three (3) years provided in the Lease shall be changed to forty-two (42) months from the original date of the Lease, having the effect of extending the primary term of the Lease for an additional six (6) months. Lessor leases and lets to Lessee, its successors and assigns, the Lands for the purposes and on the terms and conditions provided in the Lease, as amended and extended by this Amendment to Oil and Gas Lease.

Lessor warrants to be the owner of the Lands and the minerals in and under the Lands with full right and authority to execute this Amendment to extend the primary term of the Lease.

This Amendment shall extend to and be binding on Lessor, and Lessor's respective heirs, executors, administrators, successors, and assigns. Except as stated in this Amendment, the Lease shall continue in full force and effect as to all of its other terms and provisions. The consideration paid to Lessor for this Amendment is the full consideration for the extension of the primary term of this Lease. The Lease is deemed a "Paid Up" Lease for its entire extended primary term.

This Amendment is signed by Lessor as of the date of acknowledgment of their respective signatures below, but is effective for all purposes as of the Effective Date stated above.

**LESSORS:**

ELYSIUM ENTERPRISES, L.P.

By:

Mark Anderson, President of MKT Anderson MGT, Inc., acting by and through its general partner, Elysium Enterprises, L.P.

## TAK ENTERPRISES, INC.

By: Paul Moss  
Paul Moss, President

## ACKNOWLEDGMENTS

STATE OF TEXAS §  
§  
COUNTY OF TARRANT §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
by Mark Anderson, as President of MKT Anderson MGT, Inc., acting by and through its  
general partner, Elysium Enterprises, L.P., on behalf of said limited partnership.

Notary Public, State of Texas  
Printed Name of Notary Public  
My commission expires:

My commission expires:

Seal:

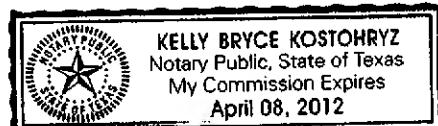
STATE OF TEXAS §  
COUNTY OF TARRANT §

This instrument was acknowledged before me on the 25th day of March, 2010, by Paul Moss, as President of TAK Enterprises, Inc., a Texas corporation on behalf of said corporation.

Notary Public, State of Texas  
Printed Name of Notary Public  
My commission expires:

My commission expires: 4-8-2012

Seal:



ELYSIUM ENTERPRISES, L.P.

By: *Mark Anderson*  
Mark Anderson, President of MKT Anderson  
MGT, Inc., acting by and through its general  
partner, Elysium Enterprises, L.P.

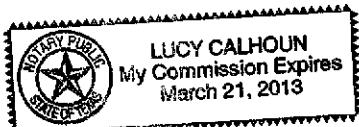
TAK ENTERPRISES, INC.

By: *Paul Moss*, President

**ACKNOWLEDGMENTS**

STATE OF TEXAS        §  
                          §  
COUNTY OF TARRANT    §

This instrument was acknowledged before me on the 4<sup>th</sup> day of MARCH, 20 10  
by Mark Anderson, as President of MKT Anderson MGT, Inc., acting by and through its  
general partner, Elysium Enterprises, L.P., on behalf of said limited partnership.



My commission expires:

Seal:

STATE OF TEXAS        §  
                          §  
COUNTY OF TARRANT    §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_  
by Paul Moss, as President of TAK Enterprises, Inc., a Texas corporation on behalf of  
said corporation.

Notary Public, State of Texas  
Printed Name of Notary Public \_\_\_\_\_  
My commission expires: \_\_\_\_\_

My commission expires:

Seal: